

Privacy Statement - Client Personal Information

1. INTRODUCTION

This Privacy Statement describes how Midways Dental collects and processes personal information about you; how we use and protect this information, and your rights in relation to this information, in accordance with the requirements of the Protection of Personal Information Act (POPIA)

This Privacy Statement applies to all personal information we collect about our Patients. Personal information is information, or a combination of pieces of information that could reasonably allow patients to be identified.

2. VOLUNTARY EXPOSURE

The following information is made known automatically and persons do not have to request such Information:

- Patient Terms and Conditions
- Treatment and Pricing
- Payment Plan Options

3. INFORMATION WE COLLECT

The Practice collects personal information directly from patients and once in the Practice's possession, we will only release personal information with the patient's consent, except where we are required to do so by law. In the latter case, we will always inform the patient prior to doing so

Certain personal information is required as a consequence of any contractual relationship we have with Suppliers and employees, to enable us to carry out our contractual obligations. Failure to provide this personal information may prevent or delay the fulfilment of these obligations.

4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

Business legislation (including all regulations issued in terms of such legislation): The Companies Act 71 of 2008; Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Unemployment Insurance Act 63 of 2001; Electronic Communications and Transactions Act 25 of 2002; Telecommunications Act 103 of 1996; Electronic Communications Act 36 of 2005; Consumer Protection Act 68 of 2008; Broad-based Black Economic Empowerment Act 53 of 2003; National Credit Act 34 of 2005; Long-term Insurance Act 52 of 1998; etc.

Health legislation (including all regulations issued in terms of such legislation): (This legislation is of extreme relevance in the health sector and Requesters should familiarise themselves with it. The National Health Act 61 of 2003; Medical Schemes Act 121 of 1998; Medicines and Related Substances Act 101 of 1965; Children's Act 38 of 2005; Mental Healthcare Act 17 of 2002; Choice on Termination of Pregnancy Act 92 of 1996; Sterilisation Act 44 of 1998; Health Professions Act 56 of 1974; etc.

5. RECORDS HELD BY THE PRACTICE

We hold records in the categories listed below. The fact that we list a record type here does not necessarily mean that we will disclose such records, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Information held by the Practice

The categories of personal information that are held by the practice include the following:

- a. Personal details (e.g. name, age, date of birth, gender, identity number or registration number); Personnel records, which includes records relating to temporary employees, fixed term employees, part-time employees, permanent employees, locums, associates, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.
- b. Contact details (e.g. phone number, email address, postal address or mobile number);

- c. Health records medical reports; funding records; agreements; consents; needs assessments; financial and accounts information; research information; evaluation records; profiling; and similar information It must be noted that, in the health sector, personal and patient information are protected by legislation and ethical rules, and disclosure can only take place, if at all, without those frameworks.
- d. Supplier and service provider records, which includes supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service- and other contacts. Technical records, which includes manuals, logs, electronic and cached information, product registrations, product dossiers, health professional's council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.
- e. Internal records relating to our business, which includes our business's founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licenses, trademarks and other intellectual property; production, marketing records; internal correspondence; statutory records; insurance policies and records; etc.
- f. Third party information, which may be in our possession, but which would be subject to the conditions set in relation to such possession and use or purpose limitations. Environment and market information, which include information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment.

Where possible, we will inform you what information you are required to provide us with and what information is voluntary.

6. USE OF PERSONAL INFORMATION

We must have a legal basis to process your personal information. We will only process your personal information for the purpose(s) for which it was collected and agreed with you.

In most cases the legal basis will be one of the following:

1. to provide services, to you;
2. to fulfil our contractual obligations to you, for example to ensure that invoices are issued correctly, to communicate with you and to carry out instructions and requests;
3. to comply with our legal obligations to you, for example health and safety obligations while you are on any of our premises, or to a third party (e.g. to comply with a court order);
4. to meet our legitimate interests so that: we are able to provide the services you request; any complaints or concerns can be promptly relayed to us; we can respond to any questions or concerns you might have; we may carry out research and analysis to ensure products and services we offer are relevant to you; our records are kept up to date and accurate, and; to send relevant and appropriate electronic correspondence to you in order to keep you informed regarding, but not limited to, new service developments which may impact you.

We use your personal information to:

- a. carry out medical aids approval prior to treating you as a patient;
- b. contact you with questions and other information regarding the services we are providing to you;
- c. ensure that our records are kept accurate and up to date where you, your employees or contractors work on or visit our facilities;
- d. ensure we issue accurate invoices for our services;
- e. send you messages about products and services which we think will be of interest to you;
- f. comply with legal obligations to which we are subject;
- g. comply with obligations in terms of our mandate from you.

7. YOUR RIGHTS

Please let us know if any of the personal information that we hold about you changes so that we can correct and update the personal information on our systems.

Right of access to information:

- Right to request correction or deletion of personal information;
- Right to object to the processing of personal information;
- Right to ask us to share your personal information in a usable format with another entity;
- Right to object to automated decision-making and profiling;
- Right to unsubscribe from direct marketing;
- Right to withdraw consent; and

- Right to lodge a complaint with the information regulator.

8. INFORMATION SECURITY

We have implemented generally accepted standards of technology and operational security to protect personal information from loss, misuse, alteration or destruction. We require all staff, (Directors and employees) to keep personal information confidential and only authorised staff have access to this personal information.

9. CONTACT US

If you have questions or concerns regarding the way in which your personal information has been used, or should you have any questions about this Privacy Statement, please contact us at info@midwaysdental.co.za and provide the details relating to your query.

10. CHANGES TO THE PRIVACY STATEMENT

You may request a copy of this Privacy Statement from us. We may modify or update this privacy notice from time to time. You will be able to see when we last updated the Privacy Statement because we will include a revision date. Changes and additions to this Privacy Statement are effective from the date on which they are posted. Please review this Privacy Statement from time to time to check whether we have made any changes to the way in which we use your personal information.

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